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November 7, 2003

Sent via Facsimile & U.S. Mail

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**Re: Estate of Roger D. Owensby, Jr. v. City of Cincinnati, et al.,
Case No. 01-CV-769 (S.D. Ohio)**

Dear Counsel:

On September 18, 2003 we served you with Plaintiff's Second Request for Production of Documents to the City of Cincinnati. Responses to this Second Request for Production of Documents were due on October 21, 2003. Over two weeks have passed and we have received no response to these document requests. Please immediately provide your response and the requested documents. Please also note that all objections are waived because of your failure to timely respond to these document requests. Rule 34(b), Fed. R. Civ. P.; *Bailey v. Container Corp. of America*, 36 F.P.D. ¶ 35,096 (S.D. Ohio 1984) (Porter, S.J.).

Sincerely,



Paul B. Martins

PBM:kmr

cc: Mark T. Tillar, Esq.
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EXHIBIT B